



**National Park Service
U.S. Department of the Interior**

**Kennesaw Mountain
National Battlefield Park**

905 Kennesaw Mountain Drive
Kennesaw, GA 30152

Superintendent's Compendium
Of Designations, Closures, Permit
Requirements and Other
Restrictions Imposed Under
Discretionary Authority.

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Approved:

/s/ Nancy Walther.
Superintendent

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The regulations and delegated authority that apply to all national parks can be found in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, which are authorized by Title 16 of the United States Code, Section 3. The following regulatory provisions are established for the proper management, protection, and for the government and public use of those portions of Kennesaw Mountain National Battlefield Park under the jurisdiction of the National Park Service. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

Written determinations, which explain the reasoning behind the Superintendent's use of discretionary authority, as required by Section 1.5(c), appear in this document under the heading *JUSTIFICATIONS*.

I. 36 CFR §1.5 – VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USE OR ACTIVITIES

(a)(1) The following visiting hours, public use limits, closures, and area designations are established as follows:

Visiting Hours:

The park is open to public use during daylight hours only. Daylight hours are defined as one-half hour after sunrise to one-half hour after sunset. The park will be closed on Thanksgiving, Christmas, and New Year days. Park facilities close as follows:

Visitor Center parking lot: opens at 6:30 a.m.; closes at 6:30 p.m. during standard time and at 8:30 p.m. during daylight savings time. The Visitor Center parking lot may be closed at other times for special events and/or emergencies.

Visitor Center: opens at 9:00 a.m.; closes at 5:00 p.m. daily. Restrooms open at 7:30 a.m. daily and close at 6:00 p.m. daily during standard time. Restrooms close at 8:00 p.m. daily during daylight savings time.

Mountain Road: opens at 8:30 a.m. Monday through Friday; closes at 5:30 p.m. during standard time and at 7:30 p.m. during daylight savings time. The Mountain Road may be closed at any time due to weather conditions, maintenance requirements, special events, or emergencies.

Cheatham Hill Drive: opens at 8:00 a.m.; closes at 5:30 p.m. during standard time and at 8:00 p.m. during daylight savings time. Cheatham Hill Drive may be closed at any time due to weather conditions, maintenance requirements, special events, or emergencies.

Public Use Limits and Closures:

The Mountain Road is closed to private vehicles, including bicycles, on weekends and holidays for the operation of a public shuttle bus.

The area within 50 feet of the black powder storage magazine is closed to the general public.

The rock quarry is closed to all public use including rock climbing.

Unless specifically authorized, the following activities are prohibited:

- Launching model rockets
- Flying powered or non-powered model airplanes
- Operating radio-controlled models
- Skateboarding, roller blading, roller skating, and any other similar activity.

Leaving a trail to shortcut between portions of the same trail or to shortcut to an adjacent trail is prohibited.

Food, beverages, pets, and firearms are not permitted in the Visitor Center.

Shirts and shoes must be worn at all times while in any government building in the park.

(a)(2) The following areas have been designated for a specific use or activity, under the conditions and/or restrictions as noted:

Parking areas are reserved for persons using the park facilities and services only. Leaving a vehicle in a parking area while traveling outside the park is prohibited. Organized social gatherings or sports activities conducted within parking areas are prohibited.

Picnics are restricted to designated picnic areas and activity fields only.

Recreational activities such as sunbathing, kite flying, picnicking, ball playing, and other similar activities not otherwise prohibited are allowed only in designated recreational activity areas. These recreational activity areas are designated as Activity Areas One, Two, and Three and are designated on the park's brochure map. The small field in front of the

Superintendent's office and Administration Building is not designated a recreational area, but the park does allow picnicking, ball playing, etc. there.

The dirt parking lot on Cheatham Hill Road near its intersection with Powder Springs Road is designated for horse trailers and associated vehicles only. All other vehicles are prohibited. Other locations for horse trailer parking may be designated by the Superintendent during special events. All manure, hay, wood shavings, and feed associated with horses and trailers should be removed by the visitor from the parking area upon departure.

II. 36 CFR §1.6 – PERMITS

In addition to any applicable State licenses or permits, a permit from the Superintendent is required for certain visitor use activities. Permit applications for these activities will be reviewed by the park Superintendent with consideration given to the appropriateness of the activity relative to the purpose for which the park was established, and whether the activity would negatively impact park resources and values.

Permit applications are available at park headquarters during normal business hours. A non-refundable application fee of \$190 is required for all Special Use Permits and covers the cost of mailing, duplication, and processing of applications, whether the permit is approved or not. Other fees which may be charged for approved Special Use Permits include an administrative fee, "fair market value" fees for general park use or facility used, and all costs incurred by the park associated with the supervision and management of the event.

The Superintendent will determine the location of each activity based on the nature and duration of the proposed event, the estimated number of persons expected to attend, and other information required to complete the permit application form. A permit application may be denied if the activity does not allow for multiple use of the area, if the event presents a clear and present danger to the public health or safety, or if the printed materials are solely commercial.

(f) Activities for which a permit from the superintendent is required include, but are not limited to, the following:

- Collecting research specimens
- Special events
- Any organized event that interferes impairs or impacts normal visitation

§2.62(b) - Scattering human ashes from cremation.

§5.1- Displaying, posting, or distributing commercial notices or advertisements.

§5.3- Engaging in or soliciting any business.

§5.5(a)- Making a motion picture film, television production, or sound track involving the use of professional casts, settings or crews, other than bona fide newsreel or news television.

§5.5 (b) - Taking still photography of vehicles or other articles of commerce, or models for the purpose of commercial advertising.

§7.96(b) (1)- Organized sports activities, pageants, regattas, public spectator attractions, entertainment, ceremonies, and other similar events.

§7.96(g) - Public assemblies, meetings, gatherings, demonstrations, parades, and other public expressions of views that exceed 25 persons. Demonstrations involving 25 persons or fewer may be held without a permit provided that the other conditions required for the issuance of a permit are met and provided further that the group is not merely an extension of another group already availing itself of the 25-person maximum under this provision or will not unreasonably interfere with other demonstrations or special events.

Read more: <http://cfr.vlex.com/vid/7-96-national-capital-region-19768726#ixzz1OEBMiB95>

§7.96(k)(2)- The sale or distribution of printed matter, buttons, and bumper stickers.

Designated areas for assemblies, meetings, gatherings, demonstrations, parades, other public expressions of views, and distribution of printed matter are as follows: The grass island in the main visitor center parking lot.

III. GENERAL REGULATIONS

36 CFR §2.1 – PRESERVATION OF NATURAL, CULTURAL AND ARCHEOLOGICAL RESOURCES

(c)(1) The gathering, by hand, of fruits or berries for personal use or consumption is permitted. The gathering, by hand, of nuts lying on the ground is permitted.

2(i) The gathering of any species of nuts or berries is limited to three pounds (to include nuts and their exterior shell), per person, per day.

36 CFR §2.2 - WILDLIFE PROTECTION

(d) Wildlife may not be transported on roads or in parking lots maintained by the park.

(e) The use of artificial light for purposes of viewing wildlife is prohibited.

36 CFR §2.10 – CAMPING and FOOD STORAGE

(a) Camping is prohibited unless by permit or directly involved in a park living history program.

36 CFR §2.13 - FIRES

Portable grills, smokers, and fire pans may be used at designated picnic areas, so long as such cooking does not harm park property (such as picnic tables) or other park resources. The disposal of hot or cold coals and/or ashes in the park is prohibited.

36 CFR §2.15 – PETS

(a)(1) Pets are prohibited in all park structures, buildings, and residences; public facilities; and government-owned vehicles.

(a)(5) Visitors are required to remove pet excrement from parking lots and visitor use areas.

Note- Regulations (a)(1) and (e) do not apply to a Service dog accompanying a person with a disability.

36 CFR §2.21 – SMOKING

(a) Smoking is prohibited in all government facilities, residences, structures, and vehicles. Employees are prohibited from smoking in view of the public.

36 CFR §2.35 – Alcoholic Beverages

(3) i Alcoholic beverages are not allowed in the Kennesaw Mountain National Battlefield Park.

36 CFR §4.21 – SPEED LIMITS

(b) The following speed limits are established:

- Visitor Center Parking Lot 15 MPH
- Kennesaw Mountain Drive 25 MPH
- Cheatham Hill Drive 25 MPH
- Old Highway 41 (through the park) 35 MPH
- Stilesboro Road (from Old Highway 41 to Old Mountain Road and vice versa) 35 MPH
- Stilesboro Road (from Old Mountain Road to the park's western boundary and vice versa) 35 MPH
- Burnt Hickory Road (through the park) 35 MPH
- Dallas Highway (S.R. 120) (through the park) 45 MPH
- John Ward Road 45 MPH
- Cheatham Hill Road 45 MPH
- Powder Springs Road 45 MPH

36 CFR §4.30 – Bicycles

(a) Bicycles may only be used on open, paved roadways. Bicycles are prohibited on Kennesaw Mountain Drive on weekends and holidays due to the public shuttle bus. Bicycles are prohibited on all unpaved surfaces in the park, including trails.

*****END OF DOCUMENT*****